

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
CRAIG D. MASKIL, M.D., :
RESPONDENT. : **ORDER 0007227**

Division of Legal Services and Compliance Case No. 19 MED 125

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Craig D. Maskil, M.D.
Redgranite, WI 54970

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Craig D. Maskil, M.D. (Respondent), (Year of Birth 1956), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 35410-20, first issued on May 27, 1994, with registration current through October 31, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Redgranite, Wisconsin 54970.

2. The Findings of Fact in Board Order 0004935 (Division of Legal Services and Compliance (DLSC) Case No. 15 MED 117) are incorporated into this Final Decision and Order (DLSC Case No. 19 MED 125).

3. Respondent has failed to comply, on multiple occasions, with the requirements and limitations of Board Order 0004935 (DLSC Case No. 15 MED 117).

4. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(1)(a) by violating an order of the Board.

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. The license to practice medicine and surgery issued to Respondent is RESTRICTED and LIMITED as follows:

a. The limitations, restrictions, and conditions contained in Board Order 0004935 (DLSC Case No. 15 MED 117) are no longer in effect and are superseded by the limitations, restrictions, and conditions in this Order (DLSC Case No. 19 MED 125).

b. Mental Health Treatment: For a period of at least two (2) years from the date of this Order:

i. Respondent shall continue with, and fully participate in, psychiatric treatment with an approved psychiatrist to address the specific treatment goals related to his mental health diagnoses so that Respondent maintains his fitness to practice medicine and surgery. This limitation includes the following:

1) Respondent's current treating Provider for psychiatric treatment reflected in the records maintained by the Department Monitor is a pre-approved provider for purposes of this Order.

2) Respondent shall provide his current psychiatric Provider with copies of Board Order 0004935 (DLSC Case No. 15 MED 117)

and this Order (DLSC Case No. 19 MED 125) and all other subsequent Orders.

- 3) Respondent shall comply with all recommendations of the Provider for inpatient or outpatient treatment or both, and shall comply with all aspects of the treatment program, including medication, as recommended by the Provider.
- 4) Respondent's treatment shall include taking any medications prescribed by the Provider as appropriate to control Respondent's mental health diagnoses, and shall include random blood tests to measure the level of medications in Respondent's blood to ensure compliance with this requirement. Random testing shall occur quarterly for the first year of this Order, and as deemed appropriate by the Provider, thereafter.
- 5) All costs of the treatment program shall be the responsibility of the Respondent or his insurer.
- 6) The Provider shall submit written reports to the Board or its designee, every three (3) months, with the first report due three (3) months from the date of this Order, or as otherwise directed by the Department Monitor. The reports shall indicate whether Respondent has continued to follow the Provider's recommendation for treatment, the results of random drug tests, and shall assess Respondent's progress in treatment.
- 7) In the event the Provider is unable or unwilling to continue treating Respondent, Respondent shall, within thirty days of being notified that the Provider will discontinue services, identify another Provider to provide those services and request pre-approval by the Board or its designee. Respondent shall provide a copy of Board Order 0004935 (DLSC Case No. 15 MED 117) and this Order (DLSC Case No. 19 MED 125) to any and all Providers providing psychiatric treatment to Respondent pursuant to this Order. The Provider is considered unable or unwilling to continue treatment of Respondent if the Provider fails to order and/or conduct random blood tests as provided above.
- 8) Respondent shall provide and keep on file with his approved Provider and all treatment facilities, current releases which comply with state and federal laws authoring release of all of his medical and treatment records and reports to the Board or its designee, and permit his Providers to disclose and discuss the progress of Respondent's treatment and rehabilitation with the Board or its designee.

- 9) After two (2) years from the date of this Order, Respondent may petition the Board for the modification or termination of the limitations pertaining to psychiatric treatment. Any such petition shall include a statement from the Provider that Respondent has met specified treatment goals, that there is no longer a need for Respondent to continue in treatment or to continue in treatment as ordered, and the basis for the conclusion. The Board may grant or deny the petition in its discretion, or may modify the Order as it deems necessary to ensure Respondent's continued safe and competent practice.

c. Fitness To Practice Evaluation:

- i. Within ninety (90) days of the date of this Order, Respondent shall, at his own expense undergo a fitness for practice evaluation with a pre-approved psychologist (Evaluator) who has not provided treatment to Respondent and is experienced in evaluating whether a health care professional is fit for practice.
 - 1) Prior to evaluation, Respondent shall provide a copy of Board Order 0004935 (DLSC Case No. 15 MED 117) and this Order (DLSC Case No. 19 MED 125) to the Evaluator.
 - 2) Respondent shall identify and provide the Evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated.
 - 3) Within fifteen (15) days of the completion of the evaluation, a written report regarding the results of the evaluation shall be submitted to the Department Monitor at the address below. The report shall address whether Respondent suffers from any condition(s) that may interfere with his ability to practice safely and competently and, if so, shall provide any recommended limitations for safe and competent practice.
 - 4) Respondent shall execute necessary documents authorizing the Division to obtain records of the evaluation, and to discuss Respondent and his case with the Evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Board or its designee. Certified copies of the final evaluation report shall be admissible in any future proceeding before the Board.
 - 5) If the Evaluator determines that Respondent is not fit for practice the Board or its designee may immediately suspend Respondent's license until Respondent provides proof sufficient to convince the Board or its designee that Respondent is able to

practice with reasonable skill and safety of patients and the public and does not suffer from any condition which prevents Respondent from practicing in that manner.

- 6) If the Evaluator determines that Respondent is fit for practice or is fit for practice with limitations, the Board or its designee may limit Respondent's license in a manner to address any concerns the Board or its designee has as a result of the conduct set out in the Findings of Fact of Board Order 0004935 (DLSC Case No. 15 MED 117) and this Order (DLSC Case No. 19 MED 125), and to address any recommendations resulting from the evaluation, including, but not limited to:
 - a. Psychotherapy, at Respondent's expense, by a therapist approved by the Board or its designee, to address specific treatment goals, with quarterly reports to the Board by the therapist.
 - b. Additional professional education in any identified areas of deficiency.
 - c. Restrictions on the nature of practice, practice setting, or requirements for supervision of practice by a professional approved by the Board, with periodic reports to the Board by the supervisor.

d. Drug and Alcohol Assessment & Treatment:

- i. Within forty-five (45) days of the date of this Order, Respondent shall, at his own expense, undergo an Alcohol and Other Drug Abuse (AODA) evaluation with a pre-approved evaluator (Evaluator) who has not provided treatment to Respondent and is experienced in evaluating whether a health care professional has alcohol or drug abuse issues.
- ii. Prior to the evaluation, Respondent shall provide a copy of Board Order 0004935 (DLSC Case No. 15 MED 117) and this Order (DLSC Case No. 19 MED 125), to the Evaluator.
- iii. Respondent shall identify and provide the Evaluator with authorizations to communicate with all physicians, mental health professionals, and facilities at which Respondent has been treated or evaluated for alcohol and/or drug usage and/or abuse issues.
- iv. Within fifteen (15) days of the completion of the evaluation, a written report regarding the results of the evaluation shall be submitted to the Department Monitor at the address below. The report shall address whether Respondent suffers from any condition(s) that may interfere

with his ability to practice safely and competently and, if so, shall provide any recommended limitations for safe and competent practice.

- v. Respondent shall execute necessary documents authorizing the Division to obtain records of the evaluation, and to discuss Respondent and his case with the Evaluator. Respondent shall execute all releases necessary to permit disclosure of the final evaluation report to the Board or its designee. Certified copies of the final evaluation report shall be admissible in any future proceeding before the Board.
- vi. The Board, or its designee, may impose additional limitations upon Respondent's license based on the results of the evaluation and/or the Evaluator's recommendations.
- vii. Respondent shall comply with the Evaluator's recommendations.

e. Practice Limitations:

- i. Respondent shall report to the Board any change of employment status, residence, address, or telephone number within five (5) days of the date of a change.
- ii. If Respondent is not self-employed or otherwise working as a solo practitioner, Respondent shall furnish a copy of this Order to all present employers immediately upon issuance of this Order, to any hospital at which he has privileges or at which he applies for privileges, to any future employer or hospital at which he has privileges, and to any prospective employer when Respondent applies for employment as a health care provider.

f. Required Reporting by Respondent:

- i. Respondent is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Respondent shall promptly notify the Department Monitor of any failures of the Provider(s), Treater, treatment facility, Approved Program or collection sites to conform to the terms and conditions of this Order. Respondent shall promptly notify the Department Monitor of any violations of any of the terms and conditions of this Order by Respondent.
- ii. Every three (3) months Respondent shall notify the Department Monitor of Respondent's compliance with the terms and conditions of the Order, and shall provide the Department Monitor with a current address and home telephone number.

g. Change of Provider, Treater, or Approved Program by Board:

- i. If the Board or its designee determines the Provider, Treater or Approved Program has performed inadequately or has failed to satisfy the terms and conditions of this Order, the Board or its designee may direct that Respondent continue treatment and rehabilitation under the direction of another Provider, Treater, or Approved Program.

4. Unless otherwise addressed above, Respondent may petition the Board on an annual basis for modification of the terms of this Order, however no such petition for modification shall occur earlier than one year from the date of this Order. Any petition for modification shall be accompanied by a written recommendation from Respondent's Provider or Treater expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Respondent shall not have a right to any further hearings or proceedings on the denial.

5. Respondent may petition the Board for termination of this Order any time after two (2) years from the date of this Order. However, no petition for termination shall be considered without a showing of continuous, successful compliance with the terms of the Order, for at least two (2) years.

6. Respondent shall be responsible for all costs and expenses incurred in conjunction with the assessment, treatment, monitoring, screening, mentoring and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

7. Respondent shall pay costs of \$1,537.00 to the Department of Safety and Professional Services, within ninety (90) days of this Order.

8. In the event Respondent violates any term of this Order, Respondent's registration and license to practice medicine and surgery in Wisconsin, or Respondent's right to renew his registration and license to practice medicine and surgery in Wisconsin, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. Compliance will be determined by the Board or its designee. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

9. Any requests for approval of providers, treaters or programs, petitions, reports, payment of costs (made payable to the Department of Safety and Professional Services) and other information required by this Order shall be directed to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Fax: (608) 266-2264; Telephone: (608) 267-3817
DSPSMonitoring@wisconsin.gov

Respondent may submit items online at: <https://app.wi.gov/DSPSMonitoring>

10. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

By: Sheldon A. Wasserman, MD
A Member of the Board

17 February 2021
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CRAIG D. MASKIL, M.D.,
RESPONDENT.

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STIPULATION

ORDER 0007227

Division of Legal Services and Compliance Case No. 19 MED 125

Respondent Craig D. Maskil, M.D. and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:
 - the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
 - the right to confront and cross-examine the witnesses against Respondent;
 - the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
 - the right to testify on Respondent's own behalf;
 - the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
 - the right to petition for rehearing; and
 - all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent has confirmed that he is not represented by legal counsel in this matter.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Craig D. Maskil, M.D., Respondent
Redgranite, WI 54970
License no. 35410-20

02-09-2021

Date



Gretchen Mrozinski, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

2/11/2021

Date